

(ATTACHMENT 1) ACTION ON THE WAIVER OF ADMINISTRATIVE POLICY 3.09(9)(e) AND THE AWARD OF PROFESSIONAL SERVICES CONTRACTS

This item initiated by the Administration.

ADMINISTRATION'S RECOMMENDATION

The Administration recommends that the Board approve the following professional services contracts:

**RFPs 1055,
1058, 1060**

Authorization to Waive Administrative Policy 3.09(9)(e) and Enter into Contracts with the following three companies: ENA Services, LLC; CDW Government LLC; and Sentinel Technologies, Inc.

The Administration is requesting authorization to waive the three-year term limit of Administrative Policy 3.09(9)(e) and enter into contracts with ENA Services, LLC for Internet Access Service and Connectivity; CDW Government LLC for Wireless Access Points, Switches, Controllers, Transceivers and Licenses; and with Sentinel Technologies, Inc. for installation of Wireless Access Points and Switches.

The E-Rate program ("E-rate"), administered by the Federal Communications Commission ("FCC"), provides discounts on eligible telecommunications services and products for eligible schools and libraries. Discounts are available through an application process. The District has participated in this program since its inception in 1998.

E-Rate is governed by the Telecommunications Act of 1996 and the corresponding rules promulgated by the FCC, as well as subsequent guidance and rule changes issued through FCC Orders. E-Rate is administered by the FCC's contractor, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC"). The District must strictly adhere to the FCC's rules and Orders, and sufficient funding must be available for E-Rate funding to be granted. The most significant requirements are 1) the selection of the winning vendor via a competitive procurement where price is the primary factor, and 2) resulting contracts must be fully executed before submitting applications for funding requests to the SLD.

The three separate competitive RFPs: 1055; 1058; and 1060 were issued in July, August and September respectively and were posted for the requisite time period required by E-Rate rules.

It is anticipated that E-Rate will pay an estimated 90% of the amount deemed E-Rate-eligible for Internet Access Service and Connectivity; and 85% of the Wireless Access Points, Switches, Controllers, Transceivers and Licenses. However, due to the E-rate budget cap based on \$167 per student times the 2020 student enrollment for this category of service, sufficient E-rate funds are not available to also pay for the installation of Wireless Access Points and Switches.

Given the significant amount of work required to implement a new vendor for these complex services, the Administration requests a waiver of Administrative Policy 3.09(9)(e), to allow for the possibility of contract terms longer than three years. The contracts will run from July 1, 2022, through June 30, 2023 (the "Initial Term") with four additional one-year options to extend. The Administration will return to the Board each year to request authorization.

RFP 1055	Internet Access Service and Connectivity – ENA Services, LLC	
	TOTAL CONTRACT AMOUNT:	\$ 247,200.
	ANTICIPATED E-RATE REIMBURSEMENT:	\$ 222,480.
	ANTICIPATED MPS SHARE:	\$ 24,720.

RFP 1058	Wireless Access Points, Switches, Controllers, Transceivers, and Licenses – CDW Government LLC	
	TOTAL CONTRACT AMOUNT:	\$11,419,422.
	ANTICIPATED E-RATE REIMBURSEMENT:	\$ 9,394,952.
	ANTICIPATED MPS SHARE:	\$ 2,024,470.*

*\$366,537 of total costs are ineligible under E-Rate. As such, the 85% E-Rate share is based on total E-Rate eligible costs of \$11,052,884.

RFP 1060	Installation of Wireless Access Points and Switches – Sentinel Technologies, Inc.	
	TOTAL CONTRACT AMOUNT:	\$ 148,806.
	ANTICIPATED E-RATE REIMBURSEMENT:	\$ -0-**
	ANTICIPATED MPS SHARE:	\$ 148,806.

**Unless the FCC changes its five-year budget formula, E-rate funds based on a per student formula are insufficient to pay for the installation of equipment.

Upon the Board’s approval, the District will sign the contracts prior to filing E-Rate applications. The Administration will make a request for funds to pay its share of the contract costs during the FY22-23 budget process.

Budget Code:

PIN-0-0-TLN-DW-E TEL(E-Rate Contracts)\$11,815,428

HUB PARTICIPATION

Required0%
ProposedN/A
\$ ValueN/A

STUDENT ENGAGEMENT (hours per 12-month contract)

Paid Student Employment-Hour Commitment: 0
Student Career-Awareness Commitment: 0